

**United States District Court
Western District of North Carolina**

3:11 MC - 150

IN RE: Appointment of a
 Merit Selection Panel to
 Consider the Reappointment
 Of U.S Magistrate Judge **ORDER**
 David S. Kessler

This matter is before the court on its own motion to designate individuals to serve as a Merit Selection Panel for the purpose of considering the reappointment of the Honorable David S. Kessler as a United States Magistrate Judge for the United States District Court, Western District of North Carolina.

Pursuant to Section 6.03 of the "*Selection, Appointment, and Reappointment of United States Magistrate Judges*" published by the Administrative Office of the U.S. Courts, revised March 2010, the court must establish a Merit Selection Panel (Panel) to assist the district judges in their determination to reappointment an incumbent magistrate judge.

The Panel, being composed of nine members, including two lay persons, is to consider and review the incumbent's performance in office as a magistrate judge and consider comments received from members of the bar and the public, and any other pertinent evidence as to the incumbent's good character, judgment, legal ability, temperament, and commitment to equal justice under the law. An interview with the incumbent, interviews with other judicial officers of the bench, and interviews with other agency heads of the federal court family are considered a part of the Panel's charge.

The Panel shall, after considering all information, shall file its report and recommendation as to whether it recommends the incumbent for reappointment to an additional term of office with the Honorable Robert J. Conrad, Jr., Chief, U.S. District Judge. The report and recommendation shall be filed no later than January 31, 2012.

NOW, THEREFORE, IT IS HEREBY ORDERED that the following persons are appointed to the Merit Selection Panel for the United States District Court, Western District of North Carolina.

**Members Merit Panel
For the Consideration of the Reappointment
Of the Honorable David C. Keesler**

Richard Glaser, Jr. Three Wachovia Center 401 South Tryon St. Suite 3000 Charlotte, NC 28201	rickglaser@parkerpoe.com 704-335-9531 704-335-4476 fax	Chair
Dana Washington U.S. Attorney's Office 227 West Trade Street Charlotte, NC 28202	dana.washington@usdoj.gov 704-338-3107 704-344-6629 fax	
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Frederick Winiker, III Winiker Law Firm 435 East Morehead St Charlotte, NC 28202	swiniker@winikerlaw.com 704-333-8440 704-831-5274 fax	
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John Davis James, McElroy, Diehl 600 S. College St. Suite 3000 Charlotte, NC 28202	jpdavis@jmdlaw.com 704-372-9870 704-333-5508 fax	

Honorable Karen Eady-Williams
District Court Judge
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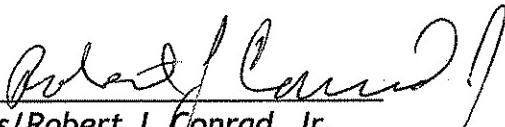
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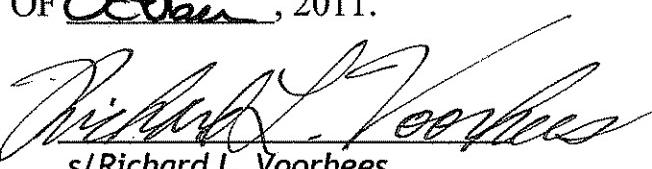
The Merit Selection Panel shall be chaired by Richard Glaser who will work with the other members of the Panel to establish rules of procedure to follow in accordance with Judicial Conference guidelines and to assure that all confidentiality requirements are met.

The Clerk of Court is directed to send to each member of the Panel a copy of this Order and a copy of the booklet "*The Selection, Appointment, and Reappointment of United States Magistrate Judges*" as revised March 2010, and other materials which may be of assistance to the Panel. The Clerk shall provide any administrative assistance to the Panel as requested.

A copy of this Order is to be served on the Magistrates Division of the Administrative Office of the U.S. Courts and the Honorable Samuel Phillips, Circuit Executive of the Fourth Circuit.

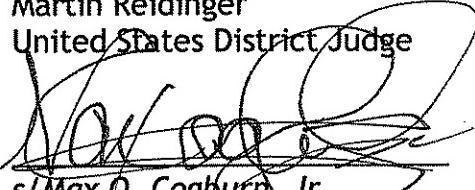
SO ORDERED THIS 2nd DAY OF October, 2011.


s/Robert J. Conrad, Jr.
Robert J. Conrad, Jr., Chief
United States District Court Judge


s/Richard L. Voorhees
Richard L. Voorhees
United States District Judge



s/Martin Reidinger
Martin Reidinger
United States District Judge



s/Max O. Cogburn, Jr.
Max O Cogburn, Jr.
United States District Judge

s/Frank D. Whitney
Frank D. Whitney
United States District Judge

s/Graham C. Mullen
Graham C. Mullen, Senior
United States District Judge

bcc: All Magistrate Judges
All Bankruptcy Judges
Gregg Forest
U.S. Attorney